

CITY OF DEER PARK

CCPD 1-136

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

MINUTES

OF

THE REGULAR MEETING OF THE DEER PARK CRIME CONTROL AND PREVENTION DISTRICT BOARD OF DIRECTORS HELD AT CITY HALL COUNCIL CHAMBERS, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS, ON OCTOBER 16, 2017 BEGINNING AT 5:15 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

CRAIG O'SULLIVAN	VICE PRESIDENT
SHANNON BENNETT	BOARD SECRETARY
DONNA TODD	TREASURER
DONALD ZUCKERO	MEMBER
GEORGE PINDER	MEMBER
DIANNA TAYLOR	MEMBER
RAY LANDERS	MEMBER
BOB HOTTEN	MEMBER

1. MEETING CALLED TO ORDER – Vice President Craig O'Sullivan called the meeting to order at 5:15 p.m.
2. ANNOUNCEMENT OF THE NEXT REGULAR CRIME CONTROL PREVENTION BOARD MEETING ON JANUARY 15, 2018 – Motion was made by Dianna Taylor and seconded by Ray Landers to approve the date of the next regular meeting on January 15, 2018. Motion carried unanimously.
3. CONSIDERATION OF AND ACTION ON ELECTION OF OFFICERS FOR 2017-2018 – Motion was made by Bob Hotten and seconded by Donald Zuckero to approve the slate of Officers to remain the same. Motion carried unanimously.
4. APPROVAL OF MINUTES – Motion was made by Bob Hotten and seconded by Dianna Taylor to approve the minutes of the public hearing on July 10, 2017. Motion carried unanimously.
5. APPROVAL OF MINUTES OF JOINT MEETING WITH CITY COUNCIL ON AUGUST 15, 2017 – Motion was made by Dianna Taylor and seconded by George Pinder to approve the minutes of the joint meeting with City Council on August 15, 2017.

6. PRESENTATION OF THE QUARTERLY FINANCIAL REPORT FOR THE FY 2016-2017 FOURTH QUARTER ENDED SEPTEMBER 30, 2017 – Treasurer Donna Todd presented the Financial Report and highlighted the statement of revenues and expenditures. (Exhibit A)

Motion was made by George Pinder and seconded by Craig O’Sullivan to accept the Financial Report as presented. Motion carried unanimously.

7. CONSIDERATION OF AND ACTION ON A QUARTERLY PLAN FOR EXPENDITURES FOR THE PERIOD OF OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017 – Captain Wade Conner commented, “I sent out a list of our budget items, the reason I did it this way is because some things are ordered in one quarter, but are not received until the following quarter before we actually pay for them. The fleet was reevaluated, after the Hurricane, we lost some cars and we had some totaled. The lieutenant over Patrol has requested to order five Tahoes and three unmarked vehicles. By agreeing to that, we will actually save \$64,000. The unmarked vehicles are needed much more than the Tahoes.” Mr. Conner also spoke of the gun range and the problem that occurred during Hurricane Harvey with the berms not being able to withstand the rain. “The cause is unknown. There will need to be hired personnel from GeoTech to find out reasons why the berms fell. The sides have been cleaned out, where now, there is a four foot opening on each side. The mud has been removed from the bullet trap and baffles. Action Target is currently out working on it and will be for 14 to 17 days.”

Mr. O’Sullivan asked, “Did this incur additional cost because Action Target will be spending more time to complete?”

Captain Conner responded, “No. Action Target is contracted by us to take care of the bullet traps and baffles. They had to work with IKLO, the contractor, in order to schedule the installment. The head guy for Action Target, since they were out here last, has been around the world three times putting in bullet traps and baffles and that has been since July. He is good at this. They just now got us back on the schedule to do what needs to be done.”

Mr. Hotten asked, “Do the berms have to be rebuilt?”

Mr. Conner responded, “We do not know yet. It sounds like it is going to be almost impossible by what I have been told. The bottom line is, we do not know who is responsible to pay for it if they did collapse. We don’t know the cause of the collapse. We do know that there will be a fee for the GeoTech to look at the situation and do a survey in the back of the berms. We were told that once the survey is done and if we have to sue, GeoTech will represent us on the expert testimony, but it is a minimum of \$250,000. It just depends on what we have to do to fix it and what we agree on. At this point, I don’t know how much money that will be or how much the GeoTech is going to cost.”

Mr. Zuckero asked, “The GeoTech cost for the survey is separate from their testimony?”

Captain Conner responded, “Yes. IKLO could hire GeoTech to come out, but whoever they do hire, will most likely say it is not their fault. The City can hire a third party or TNT can hire someone that is non-biased to the whole thing to tell us what happened; whether it was hydro mulching, or rain or the design.”

Mr. O'Sullivan commented, "I know there was some concern that was brought up in the last joint meeting of IKLO's workmanship in general. Unfortunately, we had Hurricane Harvey and it is hard to say if that is what caused it. I know it surely didn't help."

Captain Conner commented, "In regard to their workmanship, the job was supposed to be done in 180 days, the architect wrote it in the contract for 360 days. We are now over 500 days. They are not very quick at picking up the pace. We keep seeing glimmers, there will be people working out there and we get to thinking we might have a gun range before long. It is frustrating."

Mr. O'Sullivan asked, "Did they give any indication of a completion date?"

Captain Conner commented, "No. Even if they did, I wouldn't believe it now."

Mr. O'Sullivan asked, "Did anything ever come about firing them and hiring someone else to complete the job?"

Captain Conner commented, "We did talk about that, but then the hurricane happened. We do not want it to have to be claimed on our insurance. We want to figure out what caused the berms to collapse."

Mr. O'Sullivan asked, "Is it part of the study?"

Captain Conner responded, "They have been given a preliminary punch list to correct some issues that we knew of. We went out there one day to do a punch list and we basically walked off because they had not even fixed the prior problems they were already aware of."

Mr. Zuckero asked, "Is it almost completed except for the berm issue now?"

Captain Conner responded, "No, they are still doing the grade on the side. The building itself is almost done. They will have to repaint and redo grout because they used two different colors. Also, build another cabinet to fix the bow in the wall. If they got after it, they would be in and out of the building in less than a week. It is just the getting after it part is where I get frustrated. As far as the berms, I do not anticipate that complete any time soon. I do not know the last time you all have been out there, but if you go to the 100 yard mark and look down, it looks beautiful. It has cross walks, shooting lanes and the baffles and the bullet traps down, it is just not done. "

Ms. Taylor asked, "Right now is it just a wait and see what GeoTech is going to tell us?"

Captain Conner responded, "GeoTech came out last week just to get a visual of it. We are supposed to hire one, but we are waiting on a cost. We do not know the cost as of yet."

Motion was made by Bob Hotten and seconded by George Pinder to accept the quarterly plan for expenditures for the period of October 1, 2017 through December 31, 2017. Motion carried unanimously.

8. CONSIDERATION OF AND ACTION ON AN AMENDMENT TO THE AGREEMENT WITH THE CITY OF DEER PARK FOR CCPD PERSONNEL, VEHICLES, FACILITIES, EQUIPMENT AND INVESTMENTS – Assistant City Manager, Gary Jackson spoke on the process of amending the annual agreement for all the administrative services and duties performed by the City for FY 2017-2018 on behalf of the District.

Motion was made by Ray Landers and seconded by Dianna Taylor to amend the agreement for personnel, vehicles, facilities, equipment and investments for FY 2017-2018. Motion carried unanimously.

9. CONSIDERATION OF AND ACTION ON APPROVING AN AMENDMENT TO THE FY 2017-2018 CRIME CONTROL AND PREVENTION DISTRICT BUDGET FOR THE FIRING RANGE AND TRAINING FACILITY – Finance Director, Donna Todd commented, “The amendment made in 2016-17 for the cost of the firing range and training facility totaled \$2,731,100.00. There have been issue with contractors, Hurricane Harvey and the damaged berms. The work was not finished in FY 2016-17. This means we need to amend the current FY 2017-18 for the expected expenditures to be incurred in this budget year. When this amendment was developed, we believed we had about \$516,000 remaining to spend and I added \$84,000 as an additional contingency for other issues that may arise like the cost of the GeoTech testing or anything else as a result of the hurricane. The total budget amendment for \$600,000 is what’s proposed for your consideration. If we end up in any kind of litigation and would have \$250,000 of cost for testimony, we will have to amend the budget again because that amount is not contemplated in the \$600,000.”

Mr. Landers asked, “Does this mean we have to have a special meeting?”

Ms. Todd responded, “I do not think that expenditure will happen anytime soon, so we can just approve it at the next scheduled meeting.”

Mr. O’Sullivan asked, “Would the \$84,000 be used for the GeoTech testing?”

Ms. Todd responded, “Yes.”

Motion was made by Donald Zuckero and seconded by Ray Landers to approve the amendment to the FY 2017-2018 Crime Control Prevention District budget. Motion carried unanimously.

10. ADJOURN – Vice President Craig O’Sullivan adjourned the meeting at 5:35 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
Board Secretary

Craig O’Sullivan
Vice President